

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE  
AMENDING SECTION 9.90.090 OF THE SUNNYVALE MUNICIPAL CODE  
REGARDING FALSE ALARM FEES**

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS  
FOLLOWS:

SECTION 1. SECTION 9.90.090 AMENDED. Section 9.90.090 of the  
Sunnyvale Municipal Code is hereby amended to read as follows:

**9.90.090 False alarm fees**

- (a) (Text unchanged.)
- (b) (Text unchanged.)

~~\_\_\_\_\_ (c) After the first false alarm from an alarm system during a three-hundred-sixty-five day period, the director of public safety shall deliver a warning notice to the person responsible for the alarm which shall state the date and time of the first false alarm, and that if subsequent false alarms resulting from causes other than acts of nature should occur within a three-hundred-sixty-five day period, then beginning with the third false alarm that is not exempted, the director may impose false alarm fees pursuant to this section. This warning notice shall state the amount of the false alarm fees which could be imposed.~~

(c) The Director of Public Safety may impose fees for the third and subsequent false police alarm within any 365 day period; and also for the third and subsequent false fire alarm within any 365 day period. Police and Fire false alarm fees are imposed separately and a property may accumulate false alarm fees for both types of false alarms.

After the first false alarm for police assistance or the first false alarm for fire assistance in any 365 day period, the Public Safety Department shall deliver a warning notice to the business, dwelling or person responsible for the alarm. The notice shall state the date, time and type of false alarm (police or fire). The notice shall also state that the third and subsequent false alarm within any 365-day period may result in the imposition of false alarm fees pursuant to this section, and the fee for each false alarm.

SECTION 2. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment. The Council therefore directs that a Notice

of Exemption be filed with the Santa Clara County Clerk in accordance with Section 14 of the Sunnyvale Guidelines for the implementation of CEQA adopted by Resolution No. 193-86.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 4. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official newspaper of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on December 21, 2004, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on \_\_\_\_\_, 2004, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
(SEAL)

\_\_\_\_\_  
Mayor